

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BRUCE RUSH, as a participant in and on behalf of the Segerdahl Corporation employee stock ownership plan, and on behalf of a class of all others who are similarly situated,

Plaintiff,

v.

GREATBANC TRUST COMPANY;  
MARY LEE SCHNEIDER; RICHARD  
JOUTRAS; RODNEY GOLDSTEIN;  
PETER MASON; ROBERT CRONIN;  
JOHN DOE DEFENDANTS 1-10; and  
SEGERDAHL CORP. (d/b/a SG360),

Defendants.

Case No.: 1:19-cv-00738

Judge Andrea R. Wood  
Magistrate Judge Susan E. Cox

**DEFENDANTS' DAUBERT MOTION  
TO EXCLUDE EXPERT TESTIMONY OF ANDREW STUMPPF**

Pursuant to *Federal Rule of Evidence* 702 and *Daubert v. Merrill Dow Pharmaceutical, Inc.*, 509 U.S. 579 (1993), and its progeny, Defendants hereby move to exclude Plaintiff's expert, Andrew Stumpff, from testifying as an expert witness regarding the speculative risks of harm he outlines in his report on the use of Segerdahl's stock to secure notes issued to Segerdahl ESOP participants who had cashed their stock out of the Segerdahl ESOP.

As detailed in the accompanying memorandum of law, Mr. Stumpff admits that these risks were speculative and never happened. Yet he fails to tie these speculative risks to any decisions made, and his opinions relies on an impermissible legal conclusion, making his opinions unhelpful and unreliable under *Daubert*.

**WHEREFORE**, for the reasons set forth in the accompanying memorandum of law,

Defendants respectfully request that this Court enter an order to exclude Andrew Stumpff's opinions from this case.

DATED: January 31, 2022

Respectfully submitted,

By: /s/ Katelyn W. Harrell  
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*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I, Katelyn W. Harrell, certify that on January 31, 2022, I caused this pleading to be filed with the Court by electronic filing protocols, and that same will therefore be electronically served upon all attorneys of record registered with the Court's ECF/CM system.

/s/ Katelyn W. Harrell